

IN THE UNITED STATES DISTRICT COURT
IN THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

TY BOOK

VS.

BAKER HUGHES, INC.,
ET AL

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CIVIL ACTION NO.:

PLAINTIFF'S ORGINIAL COMPLAINT

TO THE HONORABLE UNITED STATES DISTRICT COURT:

COMES NOW, Plaintiff, Ty Book, complaining of Baker Hughes, Incorporated ("Baker Hughes") and of Burk Royalty Co., Ltd., ("Burk Royalty") and for cause would respectfully show unto this Honorable Court the following:

I.

Plaintiff Ty Book is a resident of Jonesville, Louisiana. Defendant Baker Hughes Inc. is a Delaware corporation with its principle place of business located in Houston. At all times pertinent to this cause of action it has done business within venue and jurisdiction of this Court. It may be served with process by serving its registered agent for service of process in Texas; CT Corporation System, 1999 Bryan Ste., Ste. 900, Dallas, TX 75201.

Defendant Burk Royalty Co., Ltd., is a Texas corporation with its principle place of business located in Wichita Falls, Texas. At all times pertinent to this cause of action it was doing business

within the venue and jurisdiction of this Court. It may be served with process by serving its registered agent for service of process in Texas; Michael Elyea, 4245 Kemp Blvd., Ste. 600, PO Box 94903, Wichita Falls, TX 76308.

II.

This Honorable Court has jurisdiction of this cause of action as the incident made the basis of this law suit occurred near Lovelady, Texas. Lovelady is located in Houston County, Texas which is in the Eastern District of Texas.

The amount in controversy exceeds the sum of \$75,000.00 exclusive of interest and costs. Plaintiff Ty Book is a resident of Louisiana. Defendants both have their principle places of business located in Texas. There is complete diversity of citizenship between Plaintiff and Defendants.

III.

Plaintiff Ty Book was injured May 10, 2012. He was employed by Basin Drilling. Basin Drilling was drilling an oil well for Defendant Burk Royalty. Defendant Baker Hughes provided directional drilling services and equipment and was actually in charge of drilling the well for Burk Royalty.

IV.

Plaintiff Ty Book was a floor hand. He was the “worm”. At the time of his accident Plaintiff earned \$21.75 per hour. But for the accident his pay would have been increased to \$24.00 per hour if he were able to continue working.

V.

At the time of his accident, Basin Drilling was pulling pipe out of the hole. The pipe was 2 7/8 inch pipe. It appeared to be work over rig pipe. The hands referred to it as “spaghetti pipe.”

The pipe and tongs were provided Baker Hughes or Burk Royalty. While Plaintiff was helping pull pipe out of the hole the pipe bent and caught Plaintiff's right hand in the pipes. This caused a sever avulsion injury to Plaintiff's right thumb.

VI.

As a result of the accident, Plaintiff has been unable to use his right thumb in any sort of heavy work. He can no longer work in the oil field nor can he do any sort of work that requires use of his right hand for heavy lifting or other heavy work. Plaintiff will not be able to return to the type of work that he was doing.

VII.

Plaintiff would show that his date of birth is February 5, 1992. At the time of his accident he was 20 years old. He completed the 11th grade and then passed his GED. He has no education past high school and his GED.

VIII.

Plaintiff would show that his accident and resulting injuries were proximately caused by one or more of the following acts and/or omissions on the part of Defendants:

- 1) In providing incorrect and unsafe pipe for the job.
- 2) In failing to insure that proper equipment was provided.
- 3) In failing to properly supervise and direct the work being done by Plaintiff's employer.
- 4) In failing to inspect the pipe and other equipment to be used by Plaintiff's employer.

IX.

Plaintiff would show that his damages include past loss of earnings and future earning capacity, medical expenses, physical impairment, pain, suffering and mental anguish. At the time of his accident Plaintiff was only 20 years old. He has a remaining work life expectancy of 47 years until

he reaches statutory full social security retirement age. When measured in money, his damages are significant. His damages equal the sum of \$3,500,000.00. While this may seem high, Plaintiff has been deprived of nearly 50 years of being able to make very good money in the oil field.

PRAYER

WHEREFORE, PREMISES CONSIDERED, Plaintiff respectfully prays that Defendants be cited to appear and to answer herein, and that upon final hearing hereof that Plaintiff have judgement for his damages, for pre and post judgement interest, for costs of court, and for such other and further relief to which he may show himself justly entitled to receive.

JURY DEMEAND

Plaintiff hereby requests a trial by jury in this cause of action.

Respectfully submitted,

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/s/ Steven C. Barkley

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TY BOOK

